

### **REMARKS/ARGUMENTS**

These remarks are made in response to the Office Action of March 29, 2007 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. However, the Examiner is expressly authorized to charge any deficiencies to Deposit Account No. 50-0951.

As requested in the Office Action, Applicants affirm the election referred to at pages 3-4 of the Office Action. Applicants expressly reserve the right, however, to pursue protection for the subject matter of the withdrawn claims in one or more divisional patent applications.

In the Office Action, Claims 1-7, 10-16, and 18-24 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,314,361 to Yu, *et al.* (hereinafter Yu). Additionally, Claims 4, 13, and 21 were rejected under 35 U.S.C. § 112, second paragraph.

Applicants have amended independent Claims 1, 10, and 18 to further emphasize certain aspects of the invention. Claims 4, 13, and 21 have been amended to overcome the rejections under 35 U.S.C. § 112, second paragraph. As discussed in the following section, the claim amendments are fully supported throughout the Specification. No new matter has been introduced with the claim amendments.

#### **Aspects Of The Invention**

It may be useful to reiterate certain aspects of the invention prior to addressing the cited references. One embodiment of the invention, typified by amended Claim 1, is a method for determining flight cancellations.

The method can include obtaining flight financial data from at least one flight financial data store for at least two flight cancellation candidates, and processing the flight financial data for each of the flight cancellation candidates. Specifically, the flight

financial data can be processed so as to determine for each flight cancellation candidate an amount of revenue lost by canceling the particular flight corresponding to one of the flight cancellation candidates. (See, e.g., Specification, paragraph [0025], lines 1-3; and paragraph [0027], 1-13; see also paragraph [0028], lines 1-7; and paragraph [0030], lines 1-3.) Accordingly, the method also can include presenting for each flight cancellation candidate the amount of revenue lost, which is determined based upon the financial data for the flight cancellation candidates.

The method also can include presenting for one or more of the flight cancellation candidate a list of one or more substitute aircrafts. The list, more particularly, can be presented in different visual formats to indicate one of the following: whether there is no significant problem associated with using a particular aircraft as a substitute, whether there is a minor problem associated with using a particular aircraft as a substitute, and whether there is a significant problem associated with using a particular aircraft as a substitute. For example, visual icons can be color coded using, respectively, for the three situations the colors green, yellow, and red. (See, e.g., Paragraph [0026], lines 1-6.)

### **The Claims Define Over The Cited References**

As already noted, independent Claims 1, 10, and 18 were each rejected as being anticipated by Yu. Yu is directed to an automated "support system for reassigning, rescheduling, and rerouting aircraft in response to flight operation disruptions." (Col. 4, lines 33-44.)

Applicants respectfully submit, however, that Yu fails to teach, either expressly or inherently, every feature recited in Claims 1, 10, and 18, as amended. Firstly, Yu speaks only generally to financial data, referring in the broadest terms in portions cited in the Office Action to costs and revenues. (See, e.g., col. 9, lines 13-16.) Nowhere, however, does Yu consider or describe various direct and indirect costs along all sources of

revenue earned for a flight. Applicants respectfully submit that these differences in the particular financial data utilized is not merely a matter of differences regarding non-functional descriptive material. Instead, it dictates whether the opportunity cost – the foregone revenue – of canceling a particular flight can be accurately determined. Yu does not expressly or inherently consideration these nuances, nor does Yu provide a mechanism for making such a determination..

Applicants respectfully submit, therefore, that it follows that Yu can not be properly read as teaching Applicants' claimed step of processing flight financial data for different flight cancellation candidates to determine for each the amount of revenue lost by canceling a flight corresponding to a particular flight cancellation candidate. Yu does not expressly or inherently teach a mechanism for determining a revenue loss that arises by canceling a particular flight, as recited in amended Claims 1, 10, and 18.

It thus further follows that Yu, by failing to teach the step of determining lost revenue, likewise does not teach presenting to a user the amount of revenue loss associated with the cancellation of a particular fight. That is, Yu does not expressly or inherently teach presenting for each flight cancellation candidate a corresponding net revenue loss, determined based upon the financial data for the flight cancellation candidates, as further recited in amended Claims 1, 10, and 18.

Yu similarly fails to expressly or inherently teach presenting for one or more one flight cancellation candidates, a list of substitute aircraft. In particular, Yu does not teach presenting such a list in different visual formats to indicate if there is no significant problem associated with using a particular aircraft as a substitute, to indicate if there is a minor problem associated with using a particular aircraft as a substitute, and to indicate if there is a significant problem associated with using a particular aircraft as a substitute.

Accordingly, Yu fails to teach, expressly or inherently, each feature recited in amended Claims 1, 10, and 18. Applicants respectfully submit, therefore, that Claims 1,

10, and 18, as amended, define over the prior art. Applicants further respectfully submit that, whereas the remaining claims each depend from Claim 1, 10, or 18, these dependent claims likewise define over the prior art.


### **CONCLUSION**

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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